

of the Constitution is palpably disregarded. Two distinct elements are required to enter into the formation of "*Senate Districts*." First, they "*shall contain, as near as may be, an equal number of inhabitants*." Secondly, they "*shall at all times consist of contiguous territory*."

The first requirement is disregarded in the present apportionment to an extent that could not possibly have been inadvertently done. By it *thousands* of the people are without due and lawful representation in the Senate, and are virtually disfranchised. It is difficult to express, in becoming language, what every honest man in the State must feel, when he considers the facts and circumstances attending so plain a disregard, not only of the Constitution itself, but of the right of the people to fair and impartial representation. I deem it my imperative duty, without reserve, to lay the matter before you in detail, that the reproach may rest where it properly belongs, and in the confident hope and belief that this General Assembly will, by prompt action, show to the country its appreciation of what is just and proper, and give full and rightful weight to the manifest voice and will of the people.

The entire population of the State, by the census of 1870, is *one million seventy-one thousand four hundred and fifty*, making *twenty-one thousand four hundred and twenty-nine* inhabitants, the exact number each Senate District should contain, if perfect exactness could be attained. But the Constitution does not require perfect exactness. It requires an approximation "*as nearly as may be*." This approximation can, in all cases, be very nearly attained by grouping counties together, and when some of the more populous counties must be embraced in a district, by making it large enough to take more than one Senator, thus equalizing and giving weight to every large excess in a county. Eight of the districts in the present apportionment have allotted to them two Senators each, instead of one. But this appears not to have been done in scarcely a single locality, where it was necessary to secure an approximation to equality in the number of inhabitants.